

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAIME ACOSTA	:	CIVIL ACTION
	:	
v.	:	NO. 20-1305
	:	
SUPERINTENDENT SCI FOREST,	:	
THE DISTRICT ATTORNEY OF THE	:	
COUNTY OF BERKS, THE	:	
ATTORNEY GENERAL OF THE	:	
STATE OF PENNSYLVANIA	:	

**ORDER**

**AND NOW**, this 7<sup>th</sup> day of February 2024, upon considering petitioner Jaime Acosta's motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b)(6) (DI 29), defendants' response in opposition (DI 30), and for the reasons set forth in the accompanying memorandum, it is **ORDERED**:

1. The clerk of court is **DIRECTED** to reopen this case for purposes of considering Mr. Acosta's motion (DI 29).
2. Mr. Acosta's motion is **DISMISSED** in part for lack of jurisdiction without prejudice to his right to file with the United States Court of Appeals for the Third Circuit an application to file a second or successive habeas petition. *See* 28 U.S.C. § 2244(b)(3)(A).
3. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c) because reasonable jurists would not debate the propriety of this ruling. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).
4. The clerk of court is **DIRECTED** to close this case.

  
MURPHY, J.